IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR.JUSTICE PIUS C.KURIAKOSE

THURSDAY, THE 18TH JANUARY 2007/28TH PAUSHA 1926

WP(C).No. 10435 of 2006(P)
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PETITIONER:
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K.JAHUBAR, SPECIAL ASSISTANT,
OFFICE OF THE MANAGING DIRECTOR, K.S.R.T.C.,
TRANSPORT BHAVAN, FORT, THIRUVANANTHAPURAM.

BY ADV. DR.K.P.KYLASANATHA PILLAY
SRI.V.SADASIVAN
SRI.T.P.DEYANANTHAN
SMT.S.PREETHA
SMT.SREEDEVI KYLASANATH

RESPONDENTS:
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1. KERALA STATE ROAD TRANSPORT CORPORATION,
REP. BY ITS MANAGING DIRECTOR, TRANSPORT BHAVAN,
FORT, THIRUVANANTHAPURAM.

2. THE SECRETARY TO GOVERNMENT,
TRANSPORT DEPARTMENT, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM.

BY SC SRI.JOHNSON P.JOHN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 18/01/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC NO. 10435/2006

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1: COPY OF THE RELEVANT PART OF THE GUIDELINES VIDE ORDER PFC 40301/87 DATED 9.10.1987 RELATING TO GRADE PROMOTION.

EXT.P2: COPY OF REELVANT PART OF THE SENIORITY LIST OF L.D. CLERKS AS ON 1.4.1984 IN K.S.R.T.C.

EXT.P3: COPY OF THE PAY FIXATION FORM FOR SANCTION OF TENTATIVE/ABSOLUTE GRADE PROMOTION IN K.S.R.T.C.

EXT.P4: COPY OF THE MEMORANDUM NO.PL.9/00344/05 DATED 5.2.2005 ISSUED BY THE 1ST RESPONDENT.

EXT.P5: COPY OF THE SENIORITY LIST (DRAFT) OF SPECIAL ASSISTANTS AS ON 1.4.2001 PUBLISHED BY 1ST RESPNDENT.

EXT.P6: COPY OF G.O. (M.S.) NO.9/99/TRANS. DATED 9.4.1999.

EXT.P7: COPY OF MEMORANDUKM NO, PL1/000358/06 DATED 22.2.2006 ISSUED BY R1.

EXT.P8: COPY OF THE REQUEST DATED 22.12.2004 SUBMITTED BY THE PETITIONER BEFORE THE 1ST RESPONDENT.

**PIUS C.KURIAKOSE, J.**

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**W.P.(C)NO. 10435 of 2006**

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**Dated this 18th day of January, 2007**

**JUDGMENT**

Sri.Johnson P.John, the learned Standing Counsel for the KSRTC seeks more time to file counter affidavit. The learned counsel for the petitioner submits that the issue is covered by a judgment of the Division Bench of this court in **Krishna Warrier v. Devendran (2005 (4) KLT Case No. 66)**. It is seen that Ext.P8 representation has been submitted by the petitioner before the first respondent. It is only appropriate the first respondent takes an early decision on Ext.P8. Accordingly, the writ petition will stand disposed of without going into the merits of the matter with the following directions:

The petitioner will place a copy of the full text of the judgment of the Division Bench in Krishna Warrier's case (supra) before the first respondent. Thereupon the first respondent will take up Ext.P8, consider the same in the light of the principles laid down in that decision, hear the petitioner and take a correct and just decision on Ext.P8. Decision as directed above will be taken by the first respondent at the earliest and at any rate

within two months of the petitioner making available a copy of the full text of the Division Bench decision in Krishna Warrier's case (supra).

**PIUS C.KURIAKOSE**
**Judge**

dpk